

**Nixon Peabody LLP**  
Attorneys at Law

Suite 900  
401 9th Street, N.W.  
Washington, D.C. 20004-2128  
(202) 585-8000  
Fax: (202) 585-8080

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**FAX**

Date: December 13, 2006

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From: Daniel S. Song, Reg. No. 43,143

Docket No. 032228-40100

Message: The following documents are being presented for facsimile filing in  
the United States Patent and Trademark Office:

1. Transmittal
2. Response to Restriction/Election Requirement

U.S. Patent Application of:

Inventor(s): Edward G. SUTT, Jr.

Application No.: 10/799,766

Group Art Unit: 3728

Filed: March 15, 2004

Confirmation No.: 8637

Title: PALLET NAIL WITH ENLARGED HEAD

Date: December 13, 2006

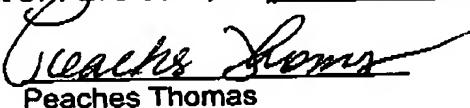
DS/pt

Docket Number: 032228-040100

**CERTIFICATE OF FACSIMILE TRANSMISSION [37 CFR 1.8(a)]**

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NO. 9693 P. 2/3

|                                                                                            |   |                        |                     |
|--------------------------------------------------------------------------------------------|---|------------------------|---------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number     | 10/799,768          |
|                                                                                            |   | Filing Date            | March 15, 2004      |
|                                                                                            |   | First Named Inventor   | Edward G. SUTT, Jr. |
|                                                                                            |   | Group Art Unit         | 3728                |
|                                                                                            |   | Examiner Name          | Kim Luan Bui        |
| Total Number of Pages in This Submission                                                   | 3 | Attorney Docket Number | 032228-040100       |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                    |
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| <b>ENCLOSURES (check all that apply)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                    |
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Response to Restriction/Election Requirement<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |  | <input type="checkbox"/> Assignment Papers<br><i>(for an Application)</i><br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Declaration and Power of Attorney<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ |                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  | Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number. |

|                                                   |                                                                                                                                      |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b> |                                                                                                                                      |
| Firm or Individual name                           | Daniel S. Song; Reg. No. 43,143<br>Nixon Peabody LLP<br>401 9 <sup>th</sup> Street, N.W.<br>Suite 900<br>Washington, D.C. 20004-2128 |
| Signature                                         |                                                   |
| Date                                              | December 13, 2006                                                                                                                    |

|                                                                                                                                                                                                                                                                |                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]</b>                                                                                                                                                                                                  |                                                                                                                                                     |
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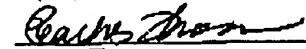
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of )  
Edward G. SUTT, Jr. )  
Application No. 10/799,766 ) Group Art Unit: 3728  
Filed: March 15, 2004 ) Examiner: Kim Luan Bui  
Confirmation No. 8637 )  
For: PALLET NAIL WITH ENLARGED HEAD ) Date: December 14, 2006

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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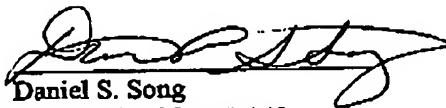
  
Peaches Thomas

Sir:

In response to the restriction/election requirement set forth in the Office Action mailed November 14, 2006, Applicants hereby provisionally elect Group I, claims 1-12 and 21-27, drawn to a package of collated nails, classified in Class 206, subclass 338 and others, for examination on the merits, subject to the right to file one or more divisional applications.

Therefore, prompt examination of the application, and claims of the elected Group I is respectfully requested.

Respectfully submitted,

  
Daniel S. Song  
Registration No. 43,143

NIXON PEABODY LLP  
401 9th Street, N.W., Suite 900  
Washington, D.C. 20004-2128  
(202) 585-8000  
(202) 585-8080 (Fax)  
Customer No. 22204

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